UNITED STATES PATENT AND TRADEMARK OFFICE

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10/620,130	07/15/2003	Jean-Claude Dufourd	1241-03	7856

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>29 January 2009</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>15-19 and 21-29</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>15-19 and 21-29</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is issued in response to applicant's amendment filed January 29,

2009.

2.   Claims 15-30 are presented. No claim added and claims 1-14, 20, and 30 are

cancelled.

3.   Claims 15-19 and 21-29 are pending.

4.   Applicant's arguments filed January 29, 2009, have been fully considered but

they are not persuasive.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 15-19 and 21-29 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kalva (US Patent No. 7,149,770) filed January 29, 1999, in view

of Liang (US Patent No. 6,766,355) filed October 21, 1998.

Regarding Claim 15, Kalva discloses a method for managing interactions

between at least one peripheral command device and at least one multimedia

application exploiting the standard MPEG-4 for displaying a scene comprising

MPEG-4 objects, said peripheral command device delivering digital signals of

user interactions as a function of actions of one or more users on said scene

comprising:

constructing a first digital sequence having the form of a BIFS node

(Binary Form for Scenes in accordance with the standard MPEG-4) (column 4,

lines 17-22 and column 5, lines 15-32, Kalva), said node comprising at least a

nature of action field and a parameter for action field to be applied to objects of

said scene and said node specifying an association between said digital signals

of user interactions and the scene objects (column 4, lines 45-50; column 5, lines

19-52; Kalva),

wherein the nature of action field defines at least one action to be applied

to the scene with the parameter of action field, wherein a value of the parameter

for action field corresponds to a parameter of said digital signals received from

the peripheral command device (columns 7-8, lines 18-25, 67, and 1-15,

respectively, Kalva). However, Kalva is not as detailed with the BIFS node

comprising a flag, the status of which enables or prevents the at least one action

to be taken into account.

On the other hand, Liang discloses a flag, the status of which enables or

prevents the at least one action to be taken into account (column 15, lines 33-36

and 47-65, Liang). Kalva and Liang are analogous art because they are from the

same field of endeavor of MPEG-4 standards. It would have been obvious to one

of ordinary skill in the art at the time of the invention to incorporate Liang's

teachings into the Kalva system. A skilled artisan would have been motivated to

combine as a way of monitoring and controlling the actions which may take place

on the device. Thereby, allowing the system to be consistent and interactive.

Regarding Claim 16, the combination of Kalva in view of Liang, disclose

the method further comprising transferring said first digital sequence into a

composition memory using a decoding sequence of MPEG-4 systems to

introduce the interaction data into a composition device for composing said

scene (column 4, lines 51-67, Kalva).

Regarding Claim 17, the combination of Kalva in view of Liang, disclose

the method wherein transferring is performed under control of a flow comprising

at least one flow descriptor, itself transporting information required for

configuration of the decoding sequence with an appropriate decoder (column 4,

lines 31-37 and 51-67, Kalva).

Regarding Claim 18, the combination of Kalva in view of Liang, disclose

the method wherein the BIFS node comprises a number of variable fields

dependent on the form of peripheral command device, and transferring the

interaction data of fields of the node to fields of objects of said scene is

implemented by routes (column 5, lines 46-52 and column 7, lines 41-51, Kalva).

Regarding Claim 19, the combination of Kalva in view of Liang, disclose the method further comprising signalizing activity of the device (column 8, lines 3-4, Kalva).

Regarding Claim 21, the combination of Kalva in view of Liang, disclose the method wherein signal delivery is performed in the form of a flow indicated by a descriptor, which contains information for configuring a decoding sequence with an appropriate decoder (column 4, lines 61-67 and column 6, lines 5-29, Kalva).

Regarding Claim 22, the combination of Kalva in view of Liang, disclose the method wherein constructing the interaction data sequence is performed in a decoding buffer memory of a multimedia application execution terminal (Fig.2, Kalva).

Regarding Claim 23, the combination of Kalva in view of Liang, disclose the method wherein translation of the interaction data sequence is performed in a decoder equipped with an interface with a composition device for composing said scene similar to an ordinary BIFS decoder for executing the BIFS- Commands decoded on the scene (column 4, lines 51-67 and columns 8-9, lines 60-67 and 1-2, respectively, Kalva).

Regarding Claim 24, the combination of Kalva in view of Liang, disclose the method wherein flow of user interactions passes through a DMIF client associated with the device that generates access units to be placed in a decoding buffer memory linked to a corresponding decoder (column 4, lines 51-67, Kalva).

Regarding Claim 25, the combination of Kalva in view of Liang, disclose the method wherein flow of user interactions enters into a corresponding decoder, either directly, or via an associated decoding buffer memory, thereby shortening the path taken by the user interaction flow (Fig.2, Kalva).

Claims 26-29 have the same subject matter as claims 15-19 and 21-25, and are essentially rejected for the same reasons as discussed above.

Response to Arguments

Applicant's arguments with respect to the newly amended claims 15 and 26, with respect to "*the BIFS node comprising a flag, the status of which enables or prevents the at least one action to be taken into account*" have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues, Kalva does not disclose the features of a "nature of action field" and a "parameter of action field" in the BIFS node.

Examiner respectfully disagrees. To begin, Kalva teaches "scene description" with BIFS encoding and node coding, wherein the fields of each type of node assume default values. Each coded node can be assigned a node identifier, which allows it to participate in the interaction process. The interaction model in particular has fields of a node that can act as event sources, event sinks, or both. An event source is associated with a particular user action (an example such as sensor nodes which detect when the mouse has been clicked) (see col.5, lines 19-52). Also, Kalva discusses "command descriptors", which is a means for associating commands with event sources within the nodes of a scene graph. The command descriptor has a descriptor ID as well as a command ID, which is used to signal commands such as "start", "pause", or "stop". Within the command descriptor is also a set of application parameters that are passed down in order to trigger the command, dependent upon the value (see cols 7-8, liens 18-67 and 1-15). As such Kalva discloses multiple fields that describe actions to be performed to one of the objects of the scene (i.e. nature of action) as well as parameters with values that trigger the designated command. Lastly, all of these actions and parameters are encompassed within a node wherein the node corresponds to a BIFS node (see col.5, lines 13-18).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHELCIE DAYE whose telephone number is (571) 272-3891. The examiner can normally be reached on M-F, 7:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Chelcie Daye
Patent Examiner
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March 30, 2009

/Apu M Mofiz/
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